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ORDER

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The Court grants Plaintiff's motion to file an amended complaint. Plaintiff shall file an

1 amended complaint on or before Friday, May 12, 2017.

2 **II. CONCLUSION**

3 For the foregoing reasons, IT IS ORDERED that the motion for extension of time to file
4 an application to proceed *in forma pauperis* (ECF No. 6) is granted. If Plaintiff is released on
5 parole in May 2017, Plaintiff shall file an application to proceed *in forma pauperis* for non-
6 prisoners on or before Friday, May 12, 2017. If Plaintiff remains incarcerated, Plaintiff shall
7 file a fully complete application to proceed *in forma pauperis* for prisoners on or before Friday,
8 May 12, 2017. Alternatively, Plaintiff may file the full \$400 filing fee for a civil action on or
9 before Friday, May 12, 2017.

10 IT IS FURTHER ORDERED that the Clerk of the Court will send Plaintiff the approved
11 form application to proceed *in forma pauperis* by a non-prisoner, as well as the document
12 entitled information and instructions for filing an *in forma pauperis* application.


13 IT IS FURTHER ORDERED that, if Plaintiff does not timely file an application to
14 proceed *in forma pauperis*, the Court will dismiss this action without prejudice.

15 IT IS FURTHER ORDERED that the motion to amend complaint (ECF No. 7) is granted.
16 Plaintiff shall file an amended complaint on or before Friday, May 12, 2017.

17 IT IS FURTHER ORDERED that the Clerk of the Court shall send to Plaintiff the
18 approved form for filing a § 1983 complaint and instructions for the same. If Plaintiff chooses
19 to file an amended complaint, he must use the approved form and he shall write the words
20 "First Amended" above the words "Civil Rights Complaint" in the caption.

21 IT IS FURTHER ORDERED that, if Plaintiff fails to file an amended complaint, the Court
22 will screen the original complaint (ECF No. 1-1).

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24 DATED: This 26th day of April, 2017.



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27 United States Magistrate Judge
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